

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

ANNISSA HASTIE,

Plaintiff,

vs.

MONTANA HOUSING
AUTHORITY SECTION 8 BUTTE
HUD, DISTRICT 9; MONTANA
DEPARTMENT OF COMMERCE;
U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT¹;
HRDC BOZEMAN, et al,

Defendants.

CV 21-85-H-BMM-KLD

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendations in this case on April 11, 2022. (Doc. 5.) Judge DeSoto recommended that the Court grant the United States' motion to dismiss for lack of subject matter jurisdiction pursuant to Rule 12(b)(1); and that this case be dismissed as to all remaining Defendants unless Plaintiff Hastie shows cause within 14 days why service has not been accomplished. (*Id.* at 14-15.)

No party has filed an objection to the Findings and Recommendations. The Court has reviewed Judge DeSoto's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313

(9th Cir. 1981). The Court finds no error in Judge DeSoto's Findings and Recommendations and adopts them in full. Given that Plaintiff Hastie has failed to show cause why service has not been accomplished, the Court will dismiss the case as to all Defendants.

IT IS ORDERED that Judge DeSoto's Findings and Recommendations (Doc. 5) are **ADOPTED IN FULL**.

1. United States' 12(b)(1) motion to dismiss for lack of subject matter jurisdiction (Doc. 3) is **GRANTED**.
2. This case is **DISMISSED** as to the United States and all other Defendants.
3. The Clerk of Court is directed to close this matter and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.
4. The Clerk of Court is directed to have the docket reflect that the Court certifies pursuant to Rule 24(a)(3)(A) of the Federal Rules of Appellate Procedure that any appeal of this decision would not be taken in good faith.

Dated the 25th day of May, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court